

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 2003P13890WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/EP2004/010581	International filing date (<i>day/month/year</i>) 21 September 2004 (21.09.2004)	Priority date (<i>day/month/year</i>) 23 September 2003 (23.09.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
 2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 12 June 2006 (12.06.2006)
Facsimile No. +41 22 740 14 35	Authorized officer <div style="text-align: center; font-weight: bold;">Yolaine Cussac</div> Telephone No. +41 22 338 70 80

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

Translation

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See Form PCT/ISA/210**

Applicant's or agent's file reference

2003P1389WO

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/EP2004/010581

International filing date (day/month/year)

21.09.2004

Priority date (day/month/year)

23.09.2003

International Patent Classification (IPC) or both national classification and IPC

H01F38/18, H01F38/14

Applicant

SIEMENS AKTIENGESELLSCHAFT

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/010581

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/010581

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	6, 10-11, 13	YES
	Claims	1-5, 7-9, 12, 14	NO
Inventive step (IS)	Claims	10-11	YES
	Claims	1-9, 12-14	NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO
2. Citations and explanations:			
<p>1 This opinion makes reference to the following documents:</p> <p>D1: EP 0 926 690 A (THE FURUKAWA ELECTRIC CO., LTD) 30 June 1999 (1999-06-30)</p> <p>D2: US 5 412 366 A (OHJI ET AL) 2 May 1995 (1995-05-02)</p> <p>D3: EP 1 241 732 A (MITSUBISHI DENKI KABUSHIKI KAISHA) 18 September 2002 (2002-09-18)</p> <p>D4: US 5 814 900 A (ESSER ET AL) 29 September 1998 (1998-09-29)</p>			
<p>2 INDEPENDENT CLAIM 1</p>			
<p>2.1 The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel within the meaning of PCT Article 33(2). Document D1 (figures 10 and 22) and D2 (claim 1; figure 11) each disclose:</p> <p><i>"Inductive rotating transmitter for transmitting data, comprising a fixed piece and a rotating piece, whereby the fixed piece and the rotating</i></p>			

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/010581

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p><i>piece have a common virtual rotational axis and the rotating piece rotates about the fixed piece, and whereby the data transmission is carried out over at least one data transmission path by means of at least one inductive element and the data transmission path is arranged outside the rotational axis of the rotating transmitter."</i></p>
3	<p>DEPENDENT CLAIMS 2-9 and 12-14</p> <p>Claims 2-9 and 12-14 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty and inventive step: claims 2-5, 7-9 12 and 14 are not novel (D1 or D2). Claims 6 and 13 do not meet the PCT requirements for inventive step (D3: column 9, lines 25-32; D4: column 5, lines 58-63).</p>
4	<p>DEPENDENT CLAIMS 10-11</p> <p>The combination of features contained in the dependent claims is neither known nor suggested by the available prior art. The reasons are as follows: the solution according to invention offers the possibility of realizing a bi-directional rotating transmitter that has a diameter as small as possible.</p>